

SENATE BILL No. 2

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-9; IC 31-9-2-20.

Synopsis: Prohibited discrimination in civil rights statutes. Amends civil rights enforcement statutes to prohibit discrimination based on sexual orientation, gender identity, national origin, disability, veteran status, and ancestry.

Effective: Upon passage.

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January 5, 2016, read first time and referred to Committee on Rules & Legislative Procedure.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 2

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-9-1-2, AS AMENDED BY P.L.136-2014,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2. (a) It is the public policy of the state to
4 provide all of its citizens equal opportunity for education, employment,
5 access to public conveniences and accommodations, and acquisition
6 through purchase or rental of real property, including but not limited to
7 housing, and to eliminate segregation or separation based solely on
8 race, religion, color, sex, disability, national origin, **sexual orientation**,
9 **gender identity**, **veteran status**, or ancestry, since such segregation is
10 an impediment to equal opportunity. Equal education and employment
11 opportunities and equal access to and use of public accommodations
12 and equal opportunity for acquisition of real property are hereby
13 declared to be civil rights.

14 (b) The practice of denying these rights to properly qualified
15 persons by reason of the race, religion, color, sex, disability, national
16 origin, **sexual orientation**, **gender identity**, **veteran status**, or
17 ancestry of such person is contrary to the principles of freedom and



1 equality of opportunity and is a burden to the objectives of the public
 2 policy of this state and shall be considered as discriminatory practices.
 3 The promotion of equal opportunity without regard to race, religion,
 4 color, sex, **sexual orientation, gender identity, veteran status,**
 5 disability, national origin, or ancestry through reasonable methods is
 6 the purpose of this chapter.

7 (c) It is also the public policy of this state to protect employers,
 8 labor organizations, employment agencies, property owners, real estate
 9 brokers, builders, and lending institutions from unfounded charges of
 10 discrimination.

11 (d) It is hereby declared to be contrary to the public policy of the
 12 state and an unlawful practice for any person, for profit, to induce or
 13 attempt to induce any person to sell or rent any dwelling by
 14 representations regarding the entry or prospective entry into the
 15 neighborhood of a person or persons of a particular race, religion,
 16 color, sex, disability, national origin, **sexual orientation, gender**
 17 **identity, veteran status,** or ancestry.

18 (e) The general assembly recognizes that on February 16, 1972,
 19 there are institutions of learning in Indiana presently and traditionally
 20 following the practice of limiting admission of students to males or to
 21 females. It is further recognized that it would be unreasonable to
 22 impose upon these institutions the expense of remodeling facilities to
 23 accommodate students of both sexes, and that educational facilities of
 24 similar quality and type are available in coeducational institutions for
 25 those students desiring such facilities. It is further recognized that this
 26 chapter is susceptible of interpretation to prevent these institutions
 27 from continuing their traditional policies, a result not intended by the
 28 general assembly. Therefore, the amendment effected by Acts 1972,
 29 P.L.176, is desirable to permit the continuation of the policies
 30 described.

31 (f) It is against the public policy of the state and a discriminatory
 32 practice for an employer to discriminate against a prospective
 33 employee on the basis of status as a veteran by:

34 (1) refusing to employ an applicant for employment on the basis
 35 that the applicant is a veteran of the armed forces of the United
 36 States; or

37 (2) refusing to employ an applicant for employment on the basis
 38 that the applicant is a member of the Indiana National Guard or
 39 member of a reserve component.

40 (g) This chapter shall be construed broadly to effectuate its purpose.

41 SECTION 2. IC 22-9-1-3, AS AMENDED BY P.L.136-2014,
 42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: Sec. 3. As used in this chapter:

(a) "Person" means one (1) or more individuals, partnerships, associations, organizations, limited liability companies, corporations, labor organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. "Affirmative action" means those acts that the commission determines necessary to assure compliance with the Indiana civil rights law.

(b) "Commission" means the civil rights commission created under section 4 of this chapter.

(c) "Director" means the director of the civil rights commission. "Commission attorney" means the deputy attorney general, such assistants of the attorney general as may be assigned to the commission, or such other attorney as may be engaged by the commission.

(d) "Deputy director" means the deputy director of the civil rights commission. "Complainant" means:

(1) any individual charging on the individual's own behalf to have been personally aggrieved by a discriminatory practice; or

(2) the director or deputy director of the commission charging that a discriminatory practice was committed against a person (other than the director or deputy director) or a class of people, in order to vindicate the public policy of the state (as set forth in section 2 of this chapter).

(e) "Commission attorney" means the deputy attorney general, such assistants of the attorney general as may be assigned to the commission, or such other attorney as may be engaged by the commission. "Complaint" means any written grievance that is:

(1) sufficiently complete and filed by a complainant with the commission; or

(2) filed by a complainant as a civil action in the circuit or superior court having jurisdiction in the county in which the alleged discriminatory practice occurred.

(f) "Consent agreement" means a formal agreement entered into in lieu of adjudication.

(g) "Affirmative action" means those acts that the commission determines necessary to assure compliance with the Indiana civil rights law. "Deputy director" means the deputy director of the civil rights commission.

(h) "Employer" means the state or any political or civil subdivision thereof and any person employing six (6) or more persons within the



state, except that the term "employer" does not include:

(1) any nonprofit corporation or association organized exclusively for fraternal or religious purposes;

(2) any school, educational, or charitable religious institution owned or conducted by or affiliated with a church or religious institution; or

(3) any exclusively social club, corporation, or association that is not organized for profit. **"Director" means the director of the civil rights commission.**

(i) **"Employee" means any person employed by another for wages or salary. However, the term does not include any individual employed:**

(1) by the individual's parents, spouse, or child; or

(2) in the domestic service of any person. **"Disabled" or "disability" means the physical or mental condition of a person that constitutes a substantial disability. In reference to employment under this chapter, "disabled" or "disability" also means the physical or mental condition of a person that constitutes a substantial disability unrelated to the person's ability to engage in a particular occupation.**

(j) **"Labor organization" means any organization that exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances, terms, or conditions of employment or for other mutual aid or protection in relation to employment.**

"Discriminatory practice" means:

(1) the exclusion of a person from equal opportunities because of race, religion, color, sex, sexual orientation, gender identity, disability, national origin, ancestry, or veteran status;

(2) a system that excludes persons from equal opportunities because of race, religion, color, sex, sexual orientation, gender identity, disability, national origin, ancestry, or veteran status;

(3) the promotion of racial segregation or separation in any manner, including but not limited to the inducing of or the attempting to induce for profit any person to sell or rent any dwelling by representations regarding the entry or prospective entry in the neighborhood of a person or persons of a particular race, religion, color, sex, sexual orientation, gender identity, disability, national origin, ancestry, or veteran status; or

(4) a violation of IC 22-9-5 that is committed by a covered entity (as defined in IC 22-9-5-4).

Every discriminatory practice relating to the acquisition or sale of



1 real estate, education, public accommodations, employment, or the
 2 extending of credit (as defined in IC 24-4.5-1-301.5) shall be
 3 considered unlawful unless it is specifically exempted by this
 4 chapter.

5 (k) "Employment agency" means any person undertaking with or
 6 without compensation to procure, recruit, refer, or place employees.
 7 "Employee" means any person employed by another for wages or
 8 salary. However, the term does not include any individual
 9 employed:

10 (1) by the individual's parents, spouse, or child; or

11 (2) in the domestic service of any person.

12 (l) "Discriminatory practice" means:

13 (1) the exclusion of a person from equal opportunities because of
 14 race, religion, color, sex, disability, national origin, ancestry, or
 15 status as a veteran;

16 (2) a system that excludes persons from equal opportunities
 17 because of race, religion, color, sex, disability, national origin,
 18 ancestry, or status as a veteran;

19 (3) the promotion of racial segregation or separation in any
 20 manner, including but not limited to the inducing of or the
 21 attempting to induce for profit any person to sell or rent any
 22 dwelling by representations regarding the entry or prospective
 23 entry in the neighborhood of a person or persons of a particular
 24 race, religion, color, sex, disability, national origin, or ancestry;
 25 or

26 (4) a violation of IC 22-9-5 that occurs after July 25, 1992, and is
 27 committed by a covered entity (as defined in IC 22-9-5-4).

28 Every discriminatory practice relating to the acquisition or sale of real
 29 estate, education, public accommodations, employment, or the
 30 extending of credit (as defined in IC 24-4.5-1-301.5) shall be
 31 considered unlawful unless it is specifically exempted by this chapter.

32 "Employer" means the state or any political or civil subdivision
 33 thereof and any person employing six (6) or more persons within
 34 the state, except that the term "employer" does not include:

35 (1) any nonprofit corporation or association organized
 36 exclusively for fraternal or religious purposes;

37 (2) any school, educational, or charitable religious institution
 38 owned or conducted by or affiliated with a church or religious
 39 institution; or

40 (3) any exclusively social club, corporation, or association that
 41 is not organized for profit.

42 (m) "Public accommodation" means any establishment that caters



or offers its services or facilities or goods to the general public.
"Employment agency" means any person undertaking with or without compensation to procure, recruit, refer, or place employees.

(n) **"Complainant" means:**

- (1) any individual charging on the individual's own behalf to have been personally aggrieved by a discriminatory practice; or
- (2) the director or deputy director of the commission charging that a discriminatory practice was committed against a person (other than the director or deputy director) or a class of people; in order to vindicate the public policy of the state (as defined in section 2 of this chapter). **"Gender identity" means a gender related identity, appearance, expression, or behavior whether or not the gender related identity, appearance, expression, or behavior is different from that traditionally associated with a person's assigned sex at birth.**

(o) **"Complaint" means any written grievance that is:**

- (1) sufficiently complete and filed by a complainant with the commission; or
- (2) filed by a complainant as a civil action in the circuit or superior court having jurisdiction in the county in which the alleged discriminatory practice occurred.

The original of any complaint filed under subdivision (1) shall be signed and verified by the complainant. **"Labor organization" means any organization that exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances, terms, or conditions of employment or for other mutual aid or protection in relation to employment.**

(p) **"Sufficiently complete" refers to a complaint that includes:**

- (1) the full name and address of the complainant;
- (2) the name and address of the respondent against whom the complaint is made;
- (3) the alleged discriminatory practice and a statement of particulars thereof;
- (4) the date or dates and places of the alleged discriminatory practice and if the alleged discriminatory practice is of a continuing nature the dates between which continuing acts of discrimination are alleged to have occurred; and
- (5) a statement as to any other action, civil or criminal, instituted in any other form based upon the same grievance alleged in the complaint, together with a statement as to the status or disposition of the other action.



No complaint shall be valid unless filed within one hundred eighty (180) days from the date of the occurrence of the alleged discriminatory practice: "Person" means one (1) or more individuals, partnerships, associations, organizations, limited liability companies, corporations, labor organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons.

(q) "Sex" as it applies to segregation or separation in this chapter applies to all types of employment; education; public accommodations; and housing. However:

(1) it shall not be a discriminatory practice to maintain separate restrooms;

(2) it shall not be an unlawful employment practice for an employer to hire and employ employees; for an employment agency to classify or refer for employment any individual; for a labor organization to classify its membership or to classify or refer for employment any individual; or for an employer, labor organization, or joint labor management committee controlling apprenticeship or other training or retraining programs to admit or employ any other individual in any program on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; and

(3) it shall not be a discriminatory practice for a private or religious educational institution to continue to maintain and enforce a policy of admitting students of one (1) sex only. "Public accommodation" means any establishment that caters or offers its services or facilities or goods to the general public.

(r) "Disabled" or "disability" means the physical or mental condition of a person that constitutes a substantial disability. In reference to employment under this chapter, "disabled or disability" also means the physical or mental condition of a person that constitutes a substantial disability unrelated to the person's ability to engage in a particular occupation. "Sex" as it applies to segregation or separation in this chapter applies to all types of employment, education, public accommodations, and housing. However:

(1) it shall not be a discriminatory practice to maintain separate restrooms;

(2) it shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify or refer for employment any individual, for



a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor management committee controlling apprenticeship or other training or retraining programs to admit or employ any other individual in any program on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; and

(3) it shall not be a discriminatory practice for a private or religious educational institution to continue to maintain and enforce a policy of admitting students of one (1) sex only.

(s) "Veteran" means:

(1) a veteran of the armed forces of the United States;

(2) a member of the Indiana National Guard; or

(3) a member of a reserve component. "Sexual orientation" means actual or perceived bisexuality, heterosexuality, or homosexuality.

(t) "Sufficiently complete" refers to a complaint that includes:

(1) the full name and address of the complainant;

(2) the name and address of the respondent against whom the complaint is made;

(3) the alleged discriminatory practice and a statement of particulars thereof;

(4) the date or dates and places of the alleged discriminatory practice and if the alleged discriminatory practice is of a continuing nature the dates between which continuing acts of discrimination are alleged to have occurred; and

(5) a statement as to any other action, civil or criminal, instituted in any other form based upon the same grievance alleged in the complaint, together with a statement as to the status or disposition of the other action.

No complaint shall be valid unless filed within one hundred eighty (180) days from the date of the occurrence of the alleged discriminatory practice.

(u) "Veteran" means:

(1) a veteran of the armed forces of the United States;

(2) a member of the Indiana National Guard; or

(3) a member of a reserve component of the armed forces of the United States.

SECTION 3. IC 22-9-1-6, AS AMENDED BY P.L.136-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: Sec. 6. (a) The commission shall establish and maintain a permanent office in the city of Indianapolis.

(b) Except as it concerns judicial review, the commission may adopt rules under IC 4-22-2 to implement this chapter.

(c) The commission shall formulate policies to effectuate the purposes of this chapter and make recommendations to agencies and officers of the state or local subdivisions thereof to effectuate such policies. The several departments, commissions, divisions, authorities, boards, bureaus, agencies, and officers of the state or any political subdivision or agency thereof shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any matter before the commission.

(d) The commission shall receive and investigate complaints alleging discriminatory practices. The commission shall not hold hearings in the absence of a complaint. All investigations of complaints shall be conducted by staff members of the civil rights commission or their agents.

(e) The commission may create such advisory agencies and conciliation councils, local or statewide, as will aid in effectuating the purposes of this chapter. The commission may itself, or it may empower these agencies and councils to:

(1) study the problems of discrimination in the areas covered by section 2 of this chapter when based on race, religion, color, sex, ~~handicap~~, **sexual orientation, gender identity, disability**, national origin, **veteran status**, or ancestry; and

(2) foster through community effort, or otherwise, good will among the groups and elements of the population of the state.

These agencies and councils may make ~~recommendation~~ **recommendations** to the commission for the development of policies and procedures in general. Advisory agencies and conciliation councils created by the commission shall be composed of representative citizens serving without pay, but with reimbursement for reasonable and necessary actual expenses.

(f) The commission may issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, religion, color, sex, ~~handicap~~, **sexual orientation, gender identity, disability**, national origin, **veteran status**, or ancestry.

(g) The commission shall prevent any person from discharging, expelling, or otherwise discriminating against any other person because the person filed a complaint, testified in any hearing before this commission, or in any way assisted the commission in any matter under



1 its investigation.

2 (h) The commission may hold hearings, subpoena witnesses, compel
3 their attendance, administer oaths, take the testimony of any person
4 under oath, and require the production for examination of any books
5 and papers relating to any matter under investigation or in question
6 before the commission. The commission may make rules as to the
7 issuance of subpoenas by individual commissioners. Contumacy or
8 refusal to obey a subpoena issued under this section shall constitute a
9 contempt. All hearings shall be held within Indiana at a location
10 determined by the commission. A citation of contempt may be issued
11 upon application by the commission to the circuit or superior court in
12 the county in which the hearing is held or in which the witness resides
13 or transacts business.

14 (i) The commission may appoint administrative law judges other
15 than commissioners, when an appointment is deemed necessary by a
16 majority of the commission. The administrative law judges shall be
17 members in good standing before the bar of Indiana and shall be
18 appointed by the chairman of the commission. An administrative law
19 judge appointed under this subsection shall have the same powers and
20 duties as a commissioner sitting as an administrative law judge.
21 However, the administrative law judge may not issue subpoenas.

22 (j) The commission shall state its findings of fact after a hearing
23 and, if the commission finds a person has engaged in an unlawful
24 discriminatory practice, shall cause to be served on this person an order
25 requiring the person to cease and desist from the unlawful
26 discriminatory practice and requiring the person to take further
27 affirmative action as will effectuate the purposes of this chapter,
28 including but not limited to the power:

29 (1) to restore complainant's losses incurred as a result of
30 discriminatory treatment, as the commission may deem necessary
31 to assure justice; however, except in discriminatory practices
32 involving veterans, this specific provision when applied to orders
33 pertaining to employment shall include only wages, salary, or
34 commissions;

35 (2) to require the posting of notice setting forth the public policy
36 of Indiana concerning civil rights and respondent's compliance
37 with the policy in places of public accommodations;

38 (3) to require proof of compliance to be filed by respondent at
39 periodic intervals; and

40 (4) to require a person who has been found to be in violation of
41 this chapter and who is licensed by a state agency authorized to
42 grant a license to show cause to the licensing agency why the



1 person's license should not be revoked or suspended.

2 When an employer has been found to have committed a discriminatory
3 practice in employment by failing to employ an applicant on the basis
4 that the applicant is a veteran, the order to restore the veteran's losses
5 may include placing the veteran in the employment position with the
6 employer for which the veteran applied.

7 (k) Judicial review of a cease and desist order or other affirmative
8 action as referred to in this chapter may be obtained under IC 22-9-8.
9 If no proceeding to obtain judicial review is instituted within thirty (30)
10 days from receipt of notice by a person that an order has been made by
11 the commission, the commission, if it determines that the person upon
12 whom the cease and desist order has been served is not complying or
13 is making no effort to comply, may obtain a decree of a court for the
14 enforcement of the order in circuit or superior court upon showing that
15 the person is subject to the commission's jurisdiction and resides or
16 transacts business within the county in which the petition for
17 enforcement is brought.

18 (l) If, upon all the evidence, the commission shall find that a person
19 has not engaged in any unlawful practice or violation of this chapter,
20 the commission shall state its findings of facts and shall issue and
21 cause to be served on the complainant an order dismissing the
22 complaint as to the person.

23 (m) The commission may furnish technical assistance requested by
24 persons subject to this chapter to further compliance with this chapter
25 or with an order issued thereunder.

26 (n) The commission shall promote the creation of local civil rights
27 agencies to cooperate with individuals, neighborhood associations, and
28 state, local, and other agencies, both public and private, including
29 agencies of the federal government and of other states.

30 (o) The commission may reduce the terms of conciliation agreed to
31 by the parties to writing (to be called a consent agreement) that the
32 parties and a majority of the commissioners shall sign. When signed,
33 the consent agreement shall have the same effect as a cease and desist
34 order issued under subsection (j). If the commission determines that a
35 party to the consent agreement is not complying with it, the
36 commission may obtain enforcement of the consent agreement in a
37 circuit or superior court upon showing that the party is not complying
38 with the consent agreement and the party is subject to the commission's
39 jurisdiction and resides or transacts business within the county in
40 which the petition for enforcement is brought.

41 (p) In lieu of investigating a complaint and holding a hearing under
42 this section, the commission may issue an order based on findings and



determinations by the federal Department of Housing and Urban Development or the federal Equal Employment Opportunity Commission concerning a complaint that has been filed with one (1) of these federal agencies and with the commission. The commission shall adopt by rule standards under which the commission may issue such an order.

(q) Upon notice that a complaint is the subject of an action in a federal court, the commission shall immediately cease investigation of the complaint and may not conduct hearings or issue findings of fact or orders concerning that complaint.

SECTION 4. IC 22-9-1-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.5. (a) Every discriminatory practice relating to the acquisition or sale of real estate, education, public accommodations, employment, or the extending of credit (as defined in IC 24-4.5-1-301.5) shall be considered unlawful unless it is specifically exempted by this chapter.**

(b) A complaint must be filed within one hundred eighty (180) days from the date of the occurrence of the alleged discriminatory practice.

(c) An original complaint filed with the commission shall be signed and verified by the complainant.

SECTION 5. IC 22-9-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. Every contract to which the state or any of its political or civil subdivisions is a party, including franchises granted to public utilities, shall contain a provision requiring the contractor and ~~his~~ the contractor's subcontractors not to discriminate against any employee or applicant for employment to be employed in the performance of such contract, with respect to ~~his~~ the employee's or applicant's hire, tenure, terms, conditions, or privileges of employment or any matter directly or indirectly related to employment, because of ~~his~~ the employee's or applicant's race, religion, color, sex, sexual orientation, gender identity, disability, national origin, veteran status, or ancestry. Breach of this covenant may be regarded as a material breach of the contract.**

SECTION 6. IC 22-9-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. In addition to its power to investigate the discriminatory practices referred to in this chapter, the commission may receive written complaints of violation of this chapter or other discriminatory practices based upon race, religion, color, sex, sexual orientation, gender identity, disability, national origin, veteran status, or ancestry and to investigate such complaints**



as it deems meritorious, or to conduct such investigation in the absence of complaints whenever it deems it in the public interest. ~~It~~ **The commission** may transmit to the general assembly its recommendations for legislation designed to aid in the removing of such discrimination.

SECTION 7. IC 22-9-2-11, AS AMENDED BY P.L.166-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. Nothing contained herein shall be deemed to repeal any of the provisions of any law of this state relating to discrimination because of age, race, ~~or~~ color, religion, **sex, sexual orientation, gender identity, disability, veteran status**, or country of ancestral origin. Nothing herein shall be deemed to limit, restrict or affect the freedom of any employer in regard to:

~~(a)~~ **(1)** fixing compulsory retirement requirements for any class of employees at an age or ages less than seventy-five (75) years of age;

~~(b)~~ **(2)** fixing eligibility requirements for participation in, or enjoyment by employees of, benefits under any annuity plan or pension or retirement plan on the basis that any employee may be excluded from eligibility therefor who, at the time ~~he~~ **the employee** would otherwise become eligible for such benefits, is older than the age fixed in such eligibility requirements; or

~~(c)~~ **(3)** keeping age records for any such purposes.

SECTION 8. IC 22-9-10-2, AS ADDED BY P.L.136-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "complainant" has the meaning set forth in ~~IC 22-9-1-3(n)~~ **IC 22-9-1-3(d)**.

SECTION 9. IC 22-9-10-3, AS ADDED BY P.L.136-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "complaint" has the meaning set forth in ~~IC 22-9-1-3(o)~~ **IC 22-9-1-3(e)**.

SECTION 10. IC 22-9-10-6, AS ADDED BY P.L.136-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. As used in this chapter, "employee" has the meaning set forth in ~~IC 22-9-1-3(i)~~ **IC 22-9-1-3(k)**.

SECTION 11. IC 22-9-10-7, AS ADDED BY P.L.136-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. As used in this chapter, "employer" has the meaning set forth in ~~IC 22-9-1-3(h)~~ **IC 22-9-1-3(l)**.

SECTION 12. IC 31-9-2-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. "Child with a disability", for purposes of IC 31-34-1-9, means an individual who:

(1) is less than eighteen (18) years of age; and



1 (2) has a disability (as defined in ~~IC 22-9-1-3(e)~~ **IC 22-9-1-3(i)**).

2 **SECTION 13. An emergency is declared for this act.**

